



CITY COUNCIL

Agenda

February 28, 2017, 6 p.m.

Council Chamber
1200 Carlsbad Village Drive
Carlsbad, CA 92008

We Welcome Your Participation

Addressing the Council

If you would like to provide comments to the City Council, please:

1. Fill out a "speaker card" located in the foyer.
2. Submit to the City Clerk or City Clerk Services Manager.
3. Speakers will be provided a maximum of three minutes, which may be shortened at the discretion of the Mayor, depending on the number of people wishing to speak.
4. Groups: Group representatives will be permitted only for items listed on the agenda. Group speakers will speak first. Groups of six or more speakers may appoint one person to speak on their behalf. All members of the group must be present and fill out a speaker card. The group's representative will be given 10 minutes to speak.

Written Materials

Written agenda related items provided to the city's legislative leaders after distribution of the agenda packet will be available for inspection during normal business hours at the City Clerk's Office, 1200 Carlsbad Village Drive, Carlsbad, CA 92008. All agenda related items will also be available at the meeting. Please see the City Clerk to review.

Decorum

Carlsbad Municipal Code sections 1.20.320 and 1.20.330 require members of the public to observe order and decorum at this meeting and to conduct themselves in a courteous manner. California Penal Code section 403 makes it a misdemeanor for any person to willfully disturb or break up any assembly or meeting with lawful authority. The ordinances were adopted to allow for public input and to facilitate city business without disruption of the meeting. The Mayor, as presiding officer, has the authority to run the meeting. This includes the authority to issue warnings, call for recesses or even clear the Council Chamber in the event of disruptive behavior, such as applause or heckling. Applause is appropriate for items listed under the Presentation portion of the agenda only.

Future Agendas

Members of the public may have an item listed on a future agenda by submitting a letter to the City Manager. Unless the Mayor, with the consent of the Council, otherwise directs, such presentations shall be limited to 10 minutes. No action may be taken on public presentation items.

Visual Materials

Please coordinate with the City Manager's Office regarding submission of visual materials for Council meetings. All visual materials must be submitted to the City Manager's office by noon the Monday prior to the Council meeting. Visual materials will only be permitted for items listed on the agenda, not as part of the Public Comment portion of the agenda. Please label all materials with the related agenda item number and observe stated time limits. Visual materials are considered part of the maximum time limit provided to speakers. All materials exhibited to the Council during the meeting (slides, maps, etc.) are part of the public record. Your materials will be returned upon written request. **Video cannot be accommodated.**

Persons with a disability may request an agenda packet in appropriate alternative formats as required by the Americans with Disabilities Act of 1990. Reasonable accommodations and auxiliary aids will be provided to effectively allow participation in the meeting. Please contact the City Manager's Office at 760-434-2821 (voice), 711 (free relay service for TTY users), 760-720-9461 (fax) or manager@carlsbadca.gov by noon on the Monday preceding the meeting to make arrangements.

CALL TO ORDER: 6:00 p.m.

ROLL CALL: M. Hall, K. Blackburn, M. Schumacher, C. Schumacher, M. Packard.

INVOCATION: None.

PLEDGE OF ALLEGIANCE: Mayor Pro Tem Keith Blackburn led the pledge of allegiance.

APPROVAL OF MINUTES:

ACTION: Approved 5/0 with minor correction.

Minutes of the Regular Meeting held January 10, 2017.

PRESENTATION: None.

PUBLIC REPORT OF ANY ACTION TAKEN IN CLOSED SESSION:

CONSENT CALENDAR: *The items listed under Consent Calendar are considered routine and will be enacted by one motion as listed. There will be no separate discussion on these items prior to the vote, unless an item is removed.*

WAIVER OF ORDINANCE TEXT READING:

This is a motion to waive the reading of the text of all ordinances and resolutions at this meeting.

1. **REPORT ON CITY INVESTMENTS** – Acceptance of report on City Investments as of January 31, 2017. (Staff contact: Nancy Sullivan, Administrative Services)

ACTION: Accepted Report. – 5/0

2. **COMMUNICATIONS SITE LICENSE AGREEMENT WITH THE COUNTY OF SAN DIEGO** – Adoption of a resolution authorizing a Communications Site License Agreement with the County of San Diego to construct and operate a public safety regional communications system facility at the Ellery Reservoir site (2237 Janis Way). (Staff contact: Curtis Jackson, City Manager Department)

ACTION: Adopted Resolution No. 2017-033. – 5/0

3. **CONTINUATION OF CITY MANAGER'S DECLARATION OF A LOCAL EMERGENCY** – Adoption of a resolution continuing the City Manager's Declaration of a Local Emergency on the west side of Batiquitos Drive, 0.25 miles south of Poinsettia Lane, pursuant to Public Contract Code 22050 and Carlsbad Municipal Code Section 3.28.120. (Staff contact: James Wood, Public Works)

ACTION: Adopted Resolution No. 2017-034. – 5/0

4. **OUT-OF-STATE TRAVEL TO LEESBURG, VA TO ATTEND THE FIRE SERVICE EXECUTIVE DEVELOPMENT INSTITUTE** - Adoption of a resolution authorizing out-of-state travel for one Division Chief to attend the Fire Service Executive Development Institute program in Leesburg, VA from March 12-17, 2017. (Staff contact: Mike Davis, Fire Department)

ACTION: Adopted Resolution No. 2017-035. – 5/0

5. OUT-OF-STATE TRAVEL TO COLORADO SPRINGS, CO TO ATTEND THE INTERNET CRIMES AGAINST CHILDREN INVESTIGATIVE TECHNIQUES TRAINING COURSE - Adoption of a resolution authorizing out-of-state travel for one Police Detective to attend the Internet Crimes Against Children (ICAC) Investigative Techniques Training Course in Colorado Springs, CO from March 13-17, 2017. (Staff contact: Cindy Anderson, Fire Department)

ACTION: Adopted Resolution No. 2017-036. – 5/0

6. AGREEMENT RRM DESIGN GROUP TO ASSIST WITH THIRD DRAFT OF VILLAGE AND BARRIO MASTER PLAN – Adoption of a resolution approving a Professional Services Agreement with RRM Design Group to assist in the preparation of the third draft of the Village and Barrio Master Plan and transferring \$112,727 from the City Council’s General Fund Contingency Account for the consultant and other costs related to preparation of the third draft. (Staff contact: Scott Donnell, Community & Economic Development)

ACTION: Adopted Resolution No. 2017-037. – 4/0/1 (M. Hall – Absent)

ORDINANCES FOR INTRODUCTION: None.

ORDINANCES FOR ADOPTION: None.

PUBLIC COMMENT:

In conformance with the Brown Act, no Council action can occur on items presented during Public Comment.

*A total of 15 minutes is provided so members of the public can address the Council on items that are not listed on the Agenda. Speakers are limited to three (3) minutes each. If you desire to speak during Public Comment, fill out a **SPEAKER CARD** and place it in the clear tray on the wall adjacent to the Deputy City Clerk. If there are more than five (5) speakers, the remaining speakers will be heard at the end of the agenda just prior to Council Reports.*

When you are called to speak, please come forward to the podium and state your name.

PUBLIC HEARINGS:

7. CARLSBAD VILLAGE LOFTS (PROJECT NO. RP 16-05/MS 16-06) – Adoption of a resolution approving Major Review Permit No. RP 16-05 and Minor Subdivision No. MS 16-06 to demolish an existing restaurant, remove a 57-foot-tall freeway pole sign, and construct a four-story, 45-foot-tall, mixed-use building, including ground floor retail and office uses, and 106 residential apartments, 16 of which will be designated as affordable housing units, at 1044 Carlsbad Village Drive. (Staff contact: Shannon Werneke, Community & Economic Development)

City Manager’s Recommendation: Take public input, close the public hearing and adopt the resolution.

ACTION: Adopted Resolution No. 2017-038. – 5/0

This item is being continued to March 14, 2017 at the request of the project applicant.

8. POINSETTIA 61 (PROJECT NO. EIR 15-03/GPA 14-06/ZC 14-04/LCPA 14-06/CT 14-10/PUD 14-12/SDP 14-15/CDP 14-34/HDP 14-07/HMP 14-04) – Introduce an ordinance approving Zone Change ZC 14-04 and adopt a Resolution to certify the Environmental Impact Report EIR 15-03, including the Candidate Findings of Fact and a Mitigation Monitoring and Reporting Program, and approve General Plan Amendment 14-06, Local Coastal Program Amendment LCPA 14-06, Vesting Tentative Tract Map 14-10, Planned Development Permit 14-12, Site Development Plan 14-15, Coastal Development Permit 14-34, Hillside Development Permit 14-07 and Habitat Management Plan Permit 14-04 for the development of a 50.8 acre site for a 123-unit single family detached condominium project and construction of the last remaining section of Poinsettia Lane ("Reach E") located within the Mello II Segment of the Local Coastal Program and Local Facilities Management Zone 21, and approval of a draft Settlement and Community Benefit Agreement. (Staff contact: Teri Delcamp, Community & Economic Development)

City Manager's Recommendation: Continue the item to the March 14, 2017 Regular City Council Meeting.

ACTION: Continued the item to the March 14, 2017 Regular City Council Meeting.

DEPARTMENTAL AND CITY MANAGER REPORTS:

9. NORTH BEACH AREA PUBLIC SAFETY STATUS REPORT – Receive a report on north beach area public safety issues. (Staff contact: Mike Davis, Fire Department & Neil Gallucci, Police Department)

City Manager's Recommendation: Receive the report and provided feedback to staff.

ACTION: Accepted report and directed staff to bring back item with more information regarding safety services to North Beach before summer 2017 including outreach, lifeguard towers, and gate closures. – 5/0

PUBLIC COMMENT: Continuation of the Public Comments

This portion of the agenda is set aside for continuation of public comments, if necessary, due to exceeding the total time allotted in the first public comments section.

When you are called to speak, please come forward to the podium and state your name. The remainder of the categories are for reporting purposes. In conformance with the Brown Act, no public testimony and no Council action can occur on these items.

COUNCIL REPORTS AND COMMENTS: (Revised 1/24/17)

PACKARD

Chamber of Commerce Liaison (alternate)
City/School Committee
North County Transit District Board of Directors
NCTD Performance, Administration and Finance Committee
North County Dispatch Joint Powers Authority (alternate)

C. SCHUMACHER

Buena Vista Lagoon JPC
League of California Cities - SD Division
North County Transit District Board of Directors (alternate)
SANDAG Board of Directors (2nd Alternate)
SANDAG Regional Planning Committee (alternate)
SANDAG Shoreline Preservation Working Group

M. SCHUMACHER

Chamber of Commerce Liaison
City/School Committee
Encina Joint Powers (JAC)
Encina Wastewater Authority Board of Directors
Encina Wastewater Authority Policy & Finance Committee
San Diego County Regional Airport Authority Board of Directors

BLACKBURN

Buena Vista Lagoon JPC
Encina Joint Powers (JAC)
Encina Wastewater Authority Board of Directors
Encina Wastewater Authority Capital Improvement Committee
North County Dispatch Joint Powers Authority
SANDAG Board of Directors (1st Alternate)
SANDAG Public Safety Committee

HALL

North County Mayors and Managers
San Diego County Water Authority (SDCWA) Board of Directors
SDCWA Legislation & Public Outreach Committee
SDCWA Administrative & Finance Committee
SANDAG Board of Directors

CITY MANAGER COMMENTS:**CITY ATTORNEY COMMENTS:****ANNOUNCEMENTS:**

This section of the Agenda is designated for announcements to advise the community regarding events that Members of the City Council have been invited to, and may participate in.

ADJOURNMENT. 9:08 p.m.

In accordance with Carlsbad Municipal Code (CMC) Section 20.20.20, notice is hereby given that the City Engineer has reviewed and, immediately following this City Council Meeting of February 28, 2017 will approve the following final map(s):

Carlsbad Tract (CT) 14-06, Afton Way located generally at the westerly end of Afton Way. Specifically, the City Engineer has caused the map to be examined and has made the following findings:

- (1) The map substantially conforms to the approved tentative map, and approved alterations thereof and any conditions of approval imposed with said tentative map.
- (2) The map complies with the provisions of the Subdivision map Act and any local ordinances applicable at the time of approval of the tentative map.
- (3) The map is technically correct.

Said map will be finalized and recorded, unless an interested party files a valid appeal of the City Engineer's action to City Council no later than 10 calendar days from the date of the City Engineer's action. The appeal shall specifically state the reason(s) for the appeal; see CMC Section 20.20.165 and 21.54.150.

If you have any question about the map approval findings or need additional information about the map or your appeal rights, please feel free to contact the City Clerk's Office at (760) 434-2808.